

DENTISTRY EXAMINING BOARD
REGULAR MEETING
JANUARY 3, 2001

MEMBERS PRESENT: Mark Curran, DDS; Nanette Kosydar Dreves, RDH; Beth Jacko-Clemence, RDH; Bruce Barrette, DDS; Richard Strand, DDS; Wilbur Gill, DDS; David Carroll, RDH; Judith Ficks; Cynthia Riffle, DDS (via telephone/excused at 9:47 a.m.)

MEMBER EXCUSED: Bruce Trimble, DDS

LEGAL COUNSEL: Jacquelynn Rothstein

STAFF PRESENT: Patrick D. Braatz, Karen Rude-Evans

GUESTS: Cathy Schleis, RDH; Sandy Westenberger, Leslie Lord, and Cindi Due, WDHA; Mara Brooks, WDA; Maureen Oostdik-Hurd, RDH, Madison Dept. of Public Health; Marlene Shelor, RDH, Dane Co. Division of Public Health

CALL TO ORDER

Chair Mark Curran called the meeting to order at 8:35 a.m.

APPROVAL OF AGENDA

Amendments: -Proposed stipulation in the matter concerning John N. Bonnell, DDS
-Telephone conference call with Dr. Engel of PRN is postponed until next meeting
-Request to take hygiene exam a fourth time – Kimberly L. Pyan
-Request for three-month stay of suspension – Michael Fischer, DDS
-Monitoring report for A. William Gloyeck, DDS

MOTION: David Carroll moved, seconded by Nanette Kosydar Dreves, to approve the agenda as amended. Motion carried unanimously.

ELECTION OF OFFICERS

MOTION: Judith Ficks moved, seconded by Richard Strand, to nominate and elect Bruce Barrette for Chair. Bruce Barrette abstained. Motion carried.

Bruce Barrette assumed the Chair at this time. Patrick Braatz and the Board members thanked Mark Curran for his service as Chair.

MOTION: Mark Curran moved, seconded by Beth Jacko-Clemence, to nominate and elect Richard Strand for Vice Chair. Richard Strand abstained. Motion carried.

MOTION: Beth Jacko-Clemence moved, seconded by Judith Ficks, to nominate and elect Nanette Kosydar Dreves for Secretary. Nanette Kosydar Dreves abstained. Motion carried.

Wilbur Gill is the legislative liaison and DOE monitoring liaison, Judith Ficks is the IPP liaison, Nanette Kosydar Dreves is the Digest Advisor, Richard Strand is on the CRDTS Steering Committee, Bruce Barrette is on the CRDTS ERC Committee, and Mark Curran, Nanette Kosydar Dreves and Judith Ficks are on the Screening Panel.

APPROVAL OF MINUTES OF NOVEMBER 1, 2000

Corrections: -On page 4, under RECONVENE IN OPEN SESSION, delete "Cynthia Riffle" and insert "Nanette Kosydar Dreves".
-On page 5, under KENNETH LEUDTKE, DDS, after "Richard" insert "Strand".

MOTION: Judith Ficks moved, seconded by Nanette Kosydar Dreves, to approve the Minutes of November 1, 2000 as corrected. Motion carried unanimously.

SECRETARY CUMMINGS

Secretary Cummings informed the Board that she is retiring from State service effective February 25, 2001. The Board members wished her well.

PRESENTATION OF PROPOSED STIPULATION

JOHN N BONNELL, DDS

Attorney Gil Luebecke presented a proposed stipulation in the matter concerning John N. Bonnell, DDS. This matter will be deliberated on in closed session.

PUBLIC HEARING ON PROPOSED RULE CHANGES RELATING TO SYSTEM OF REMEDATION FOR APPLICANTS WHO HAVE FAILED THE CLINICAL AND LABORATORY EXAMINATIONS MORE THAN THREE TIMES

Chair Bruce Barrette called to order and commenced the public hearing at 9:48 a.m. There were no speakers registered. The Legislative Clearinghouse has recommended some language changes.

MOTION: Mark Curran moved, seconded by Beth Jacko-Clemence, to revise the language of the proposed rule changes as recommended by the Legislative Clearinghouse. Motion carried unanimously.

The public hearing adjourned at 9:53 a.m.

CRDTS UPDATE

Beginning in 2001, the CRDTS exam will be scored using a compensatory scoring system that produces one overall score. This change will affect candidates who fail the exam, as they will now have to retake the entire exam rather than retaking only the part(s) they failed as in the past. CRDTS has also expanded their liability insurance effective 2001 to cover all dental hygiene candidates.

CRDTS EXAMINER ASSIGNMENTS

This item was informational and was reviewed by the Board.

CRDTS MINUTES OF NOVEMBER 2, 2000

This item was informational.

DISCUSSION REGARDING CRDTS NO LONGER ALLOWING PARTIAL RETAKES OF CRDTS EXAMINATION

CRDTS will allow candidates to retake portions of the exam only through 2001. After 2001 individual portions of the exam cannot be retaken.

AADE JOINT LICENSURE CONFERENCE AND FORUM ON EXAMINATIONS

Richard Strand and David Carroll will attend the AADE Joint Licensure Conference and Forum on Examinations to be held on March 18-19, 2001 at the ADA Headquarters Building, in Chicago, Illinois.

BOARD MEMBERS TESTIFYING AS EXPERT WITNESSES

The Ethics Board has issued an opinion that Board members should not testify as an expert witness in court. If a Board member is asked to be an expert witness, the Board member should contact the Ethics Board for guidance.

CORRESPONDENCE RELATING TO JOINT LEGISLATIVE COUNCIL'S SPECIAL COMMITTEE ON DENTAL CARE ACCESS

The last Special Committee meeting was held December 19, 2000. The next meeting will be January 16, 2001, in room 411 South, State Capitol, at 10:00 a.m. Representative David Ward and Senator Rodney Moen, co-chairs of the Special Committee, sent a letter dated December 8, 2000 to the Board, however it was not received at DRL until December 28, 2000. The Board had an extensive discussion regarding the issues addressed in the December 28 letter.

MOTION: Richard Strand moved, seconded by Mark Curran, to have legal counsel prepare a report on the discussion. Cynthia Riffle, Mark Curran and Bruce Barrette will review the report before sending it on to the Special Committee. Motion carried unanimously.

RECESS TO CLOSED SESSION

MOTION: Richard Strand moved, seconded by Nanette Kosydar Dreves, to allow Cathy Schleis to sit in on closed session, even though she is not allowed to vote. Motion carried unanimously.

MOTION: Judith Ficks moved, seconded by Nanette Kosydar Dreves, to recess to closed session pursuant to Chapter 19.85(1)(a), (b), (f) and (g), Wis. Stats., for the purpose of a personal appearance and request to reapply for license, reviewing applications for re-registration, reviewing applications for licensure, considering a request to take the hygiene test a fourth time, deliberation of a proposed stipulation, deliberation of a proposed decision, reviewing a request for reinstatement of license, considering requests for stays of suspensions and changes in board orders, reviewing a monitoring report, reviewing case status reports, meeting with the Division of Enforcement and consulting with legal counsel. Roll call vote: Mark Curran – yes, Nanette Kosydar Dreves – yes, Beth Jacko-Clemence – yes, Wilbur Gill – yes, Bruce Barrette- yes, David Carroll – yes, Richard Strand - yes. Motion carried unanimously.

Open session recessed at 1:03 p.m.

RECONVENE IN OPEN SESSION

MOTION: Beth Jacko-Clemence moved, seconded by Nanette Kosydar Dreves, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 3:06 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

PERSONAL APPEARANCE/REQUEST TO REAPPLY FOR LICENSE

BARBARA MCCLINTOCK

MOTION: Mark Curran moved, seconded by David Carroll, to require Barbara McClintock to retake the second year of hygiene school and pass CRDTS before she may reapply for her hygiene license. Nanette Kosydar Dreves – no. Motion carried.

RE-REGISTRATION APPLICATIONS

EDMUND J JUNG, DDS

MOTION: Mark Curran moved, seconded by Nanette Kosydar Dreves, to approve the re-registration application of Edmund J. Jung, DDS. Motion carried unanimously.

MARY JUSTMAN, RDH

MOTION: Beth Jacko-Clemence moved, seconded by Nanette Kosydar Dreves, to approve the re-registration application of Mary Justman, RDH. Motion carried unanimously.

APPLICATION REVIEWS

KENNETH E KONOPKA, DDS

MOTION: Richard Strand moved, seconded by Beth Jacko-Clemence, to approve the application of and grant licensure to Kenneth E. Konopka, DDS. Motion carried unanimously.

MARK L SHEKER, DDS

MOTION: Mark Curran moved, seconded by Beth Jacko-Clemence, to approve the application of and grant licensure to Mark L. Sheker, DDS. Motion carried unanimously.

REQUEST TO TAKE HYGIENE TEST A FOURTH TIME

KIMBERLY L PYAN

MOTION: Judith Ficks moved, seconded by Beth Jacko-Clemence, to allow Kimberly L. Pyan to take the hygiene exam a fourth time after she has retaken the last clinical semester of hygiene school and passes the mock board exams. Nan Kosydar Dreves - no, Mark Curran - no. Motion carried.

PROPOSED STIPULATION

JOHN N BONNELL, DDS

MOTION: Nanette Kosydar Dreves moved, seconded by Mark Curran, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning John N. Bonnell, DDS. Motion carried unanimously.

PROPOSED DECISION

DEBRA ANNE BADOFSKY

MOTION: Richard Strand moved, seconded by Nanette Kosydar Dreves, to adopt the Findings of Fact, Conclusions of Law and Order of the proposed decision in the matter concerning Debra Anne Badofsky. David Carroll – no. Motion carried.

REQUEST FROM THEODORE R PRICE, DDS RELATING TO
REINSTATEMENT OF LICENSE

Jacquelynn Rothstein disclosed that she has an association with Dr. Price's attorney, but that Dr. Price's attorney and she both felt there was no conflict of interest.

MOTION: Judith Ficks moved, seconded by Nanette Kosydar Dreves, to ask Dr. Price to appear before the Board when he applies for reinstatement of his license.

REQUESTS FOR STAYS OF SUSPENSIONS/CHANGES IN BOARD ORDERS

JAMES MARKENSON, DDS

MOTION: Mark Curran moved, seconded by Beth Jacko-Clemence, to grant a three-month stay of suspension to James Markenson, DDS. Motion carried unanimously.

MICHAEL FISCHER, DDS

MOTION: Richard Strand moved, seconded by Beth Jacko-Clemence, to grant either a limited license or a three-month stay of suspension, whichever is determined as appropriate by legal counsel and DOE, to Michael Fischer, DDS. Motion carried unanimously.

REVIEW OF MONITORING REPORT

A WILLIAM GLOYECK, DDS

The Board reviewed the monitoring report on A. William Gloyeck, DDS. No Board action was necessary.

CASE STATUS REPORT

MOTION: Nanette Kosydar Dreves moved, seconded by Beth Jacko-Clemence, to close complaint **00 DEN 103** for prosecutorial discretion with compliance gained. Case advisor – Richard Strand abstained. Motion carried.

MOTION: Mark Curran moved, seconded by Beth Jacko-Clemence, to close complaint **00 DEN 036** for prosecutorial discretion. Case advisor – Nanette Kosydar Dreves abstained. Motion carried.

MOTION: Mark Curran moved, seconded by Judith Ficks, to close complaint **00 DEN 023** for no violation. Case advisor – Bruce Barrette. Motion carried unanimously.

MOTION: Richard Strand moved, seconded by Mark Curran, to close complaint **00 DEN 008** for no violation. Case advisor – Wilbur Gill. Motion carried unanimously.

MOTION: Wilbur Gill moved, seconded by Mark Curran, to close complaint **00 DEN 076** for prosecutorial discretion. Case advisor – Judith Ficks abstained. Motion carried.

MOTION: Wilbur Gill moved, seconded by Richard Strand, to close complaint **94 DEN 141** for insufficient evidence. Case advisor – Mark Curran abstained. Motion carried.

INFORMATIONAL ITEMS

The informational items were noted by the Board.

ADJOURNMENT

MOTION: Judith Ficks moved, seconded by Nanette Kosydar Dreves, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:15 p.m.

Dent010301